

## CERTAIN EXPOSURES PROHIBITED

(As added by Ordinance No. 78-034 C.S., adopted October 10, 1978.)

SEC. 4-2.50 CERTAIN EXPOSURES BY WAITERS, WAITRESSES OR ENTERTAINERS PROHIBITED. Every person is guilty of a misdemeanor who, while acting as a waiter, waitress or entertainer in an establishment which serves food, beverages, or food and beverages, including, but not limited to, alcoholic beverages, for consumption on the premises of such establishment:

- (a) Exposes his or her genitals, pubic hair, buttocks, natal cleft, perineum, anal region or pubic hair region; or
- (b) Exposes any device, costume, or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, natal cleft, perineum, anal region or pubic hair region; or
- (c) Exposes any portion of the female breast at or below the areola thereof.

SEC. 4-2.51 EMPLOYMENT OR PAYMENT NOT NECESSARY. A person shall be deemed to be a waiter, waitress or entertainer if such person acts in that capacity without regard to whether or not such person is paid any compensation by the management of the establishment in which the activity is performed.

SEC. 4-2.60 CERTAIN EXPOSURES BY PERFORMERS PROHIBITED. Every person is guilty of a misdemeanor who, while participating in any live act, demonstration, or exhibition in any public place, place open to the public, or place open to public view:

- (a) Exposes his or her genitals, pubic hair, buttocks, natal cleft, perineum, anal region, or pubic hair region; or
- (b) Exposes any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, natal cleft, perineum, anal region. or pubic hair region; or
- (c) Exposes any portion of the female breast at or below the areola thereof.

SEC. 4-2.61 EXCEPTION FOR ACTS SPECIFIED IN PENAL CODE. The provisions of Section 4-2.60 herein shall not apply to any act that is expressly authorized or prohibited by the Penal Code of the State of California.

SEC. 4-2.70 COUNSELING OR ASSISTING. Every person is guilty of a misdemeanor who causes, permits, procures, counsels or assists any person to expose or simulate exposure as prohibited in Sections 4-2.50 and 4-2.60 herein.

SEC. 4-2.80 EXEMPTION OF THEATRICAL ESTABLISHMENTS. The provisions of Sections 4-2.50, 4-2.60, and 4-2.70 shall not apply to a theatre, concert hall, or similar establishment which is primarily devoted to theatrical performances.

### SEC. 4-2.30 PICKETING.

- (a) It shall be unlawful for any person, in or upon any public street, sidewalk, alley, or public place in the City of Hayward, to make any loud or unusual

tone, or to cry out or proclaim, for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from entering any works or factory or any place of business or employment, or for the purpose of inducing or influencing or attempting to induce or influence any person to refrain from purchasing or using any goods, wares, merchandise, or other article or articles, or for the purpose of inducing or influencing or attempting to induce or influence any person to refrain from doing or performing any service or labor in any work factory, place of business or employment, or for the purpose of intimidating threatening or coercing, or attempting to intimidate, threaten or coerce, a person who is performing, seeking, or obtaining service or labor in any work factory, place of business, or employment.

- (b) It shall be unlawful for any person, in or upon any public street, sidewalk, alley or other public place in the City of Hayward, to loiter in front of, or in the vicinity of, or to picket in front of or in the vicinity of, or to carry, show, or display any banner, badge or sign in front of, or in the vicinity of, any works, or factory, or any place of business or employment, for the purpose of inducing or influencing, or attempting to induce influence, any person to refrain from entering any such works, or factory, or place of business or employment, or for the purpose of inducing or influencing or attempting to induce or influence, any person to refrain from purchasing or using any goods, wares, merchandise, or articles, manufactured, made, or kept for sale therein, or for the purpose of inducing or influencing or attempting to induce or influence, any person to refrain from doing or performing any service or labor in any works, factory, place of business or employment, or for the purpose of intimidating, threatening or coercing, or attempting to intimidate, threaten or coerce any person who is performing, seeking, or obtaining service or labor in any such works, factory, place of business, or employment.

SEC. 4-2.40 TRESPASS UPON PRIVATE PROPERTY.

- (a) It shall be unlawful for any person to remain upon any private property or business premises after having been notified by the owner or lessee or other person in charge thereof to remove therefrom.
- (b) It shall be unlawful for any person, without permission, express or implied, of the owner or lessee or other person in charge of private property or business premises within the City of Hayward, to enter upon any such private property or business premises after having been notified by the owner or lessee or other person in charge thereof to keep off or away therefrom. (Added by Ordinance No.68-032 C.S., Adopted November 26, 1968.)